United Nations A/72/652–S/2017/1010

General Assembly
Security Council

Distr.: General
15 February 2018
English
Original: Russian

General Assembly
Seventy-second session
Agenda item 99
General and complete disarmament: implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction

Security Council
Seventy-third year

Letter dated 30 November 2017 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith an article by Professor M. Ferrada de Noli concerning the seventh report of the Organisation for the Prohibition of Chemical Weapons-United Nations Joint Investigative Mechanism to investigate incidents of use of chemical weapons in Syria (see annex).*

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda item 99 (l), and of the Security Council.

(*Signed*) V. **Nebenzia**

* The annex is being circulated in the language of submission only.

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Annex to the letter dated 30 November 2017 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

[Original: English]

Vol 3, N°24, November 2017 issue. A monthly magazine on human rights & geopolitical issues published by Libertarian Books – Sweden/Italy. Editor-in-chief Professor Marcello Ferrada de Noli.

UN 'Joint Investigative Mechanism' report on Khan Shaykhun proven inaccurate, politically biased

by The Indicter | posted in: Editorial, Geopolitics, Human Rights, November 2017 issue, Syria, UN | 0

By Marcello Ferrada de Noli, professor emeritus.

Chair, Swedish Doctors for Human Rights.

Introduction

Carl von Clausewitz (1780–1831) [1] meant that war is the continuation of politics by other means. Instead in this modern episode, politics acts as the continuation of war: At the same rhythm in which the Syrian army and Russian forces, as well other allies, progress its irreversible military victory, the losing parties in the conflict seemingly assay to compensating their defeat by means of salacious political manoeuvres.

The strategy of deposing the secular republic presided by Mr Bashar al-Assad, via financing pro-sharia fundamentalists that for years terrorized the Syrian population, did not work. The shift in the plan appears to consist in a multiple international effort to discredit the winners, politically and ad-hominem. Specifically, this has been pursued via allegations of 'chemical attacks', no matter how preposterous, or evidence-deprived, these claims may be.

The most recent episode is a report of the "UN Joint Investigative Mechanism (JIM)" [2] recently discussed at the Security Council. There are multiple reasons why to question the work of the JIM, as well that of 'UN-Commission of Inquiry on the Syrian Arab Republic' (COI), [3] now centred on the alleged incidents in Khan Shaykhun of April 2017. Some reasons pertain logical and methodological contradictions in those reports; some others concern political bias exhibited in the premises and conclusions; and finally, the serious flaws

regarding the primary source for the allegations together with its recycling done in the "verification" procedures. A principal source used is the multi-purpose "White Helmets" – in this case in its capacity of propaganda organization – together with a variety of other *non-politically neutral* humanitarian/health associations or actors also funded by the same West powers. All those sources have publicly shown being associated with the military and/or political opposition to the Syrian government.

I have recently reported in The Indicter Magazine an updated analysis ("From Timisoara to Khan Shaykhun") [4] regarding this and previous allegations of such a "chemical attacks", illustrated with the so-called "Sarmin incident" of March 2015. All this, in the historical context of 'false flag' operations devised to justify a strategy of regime-change. My early reports on the White Helmets dealt with fake medical and life-saving procedures on children presumably already dead. [5] [6] Those reports were based in analyses we did at our NGO Swedish Doctors for Human Rights, report which was later quoted by the Syrian Ambassador at the UN Security Council, in April this year. [7]

At first glance, we may see a similar pattern between the above-mentioned episode and the Khan Shaykhun official narrative. This refers both to the credibility of primary sources been used – i.e. the White Helmets and/or associates – [8] who reported the allegations to the "open sources", which in turn are used as separated, independent sources. Added the astonishing lack of "quality control" of those testimonies from the part not only of the UN investigators, but also by a number of Western delegations at the Security Council. Fundamental principles of verifiability and reliability are ignored by the non-experts investigative panel.

May I remind that the footage series depicting non-medical, non life-saving staged procedures – produced and uploaded 16 March 2015 in YouTube *simultaneously* by the White Helmets and a jihadist group exhibiting the black shahada flag – were shown at the UN [9] without a minimal verification regarding the authenticity or correctness of the "life-saving" procedures on dead children shown in the materials. [5] [6]

A report in Vice News headed "Horrifying Videos Shown at UN Display Carnage of Suspected Chlorine Attacks in Syria", referred: [10]

"At the meeting, the doctors showed council members footage taken by a field hospital in Sarmin, in Idlib Province, on the night of March 16. The video, which was provided to VICE News, depicted frenetic efforts to resuscitate three young children exhibiting symptoms of chemical exposure."

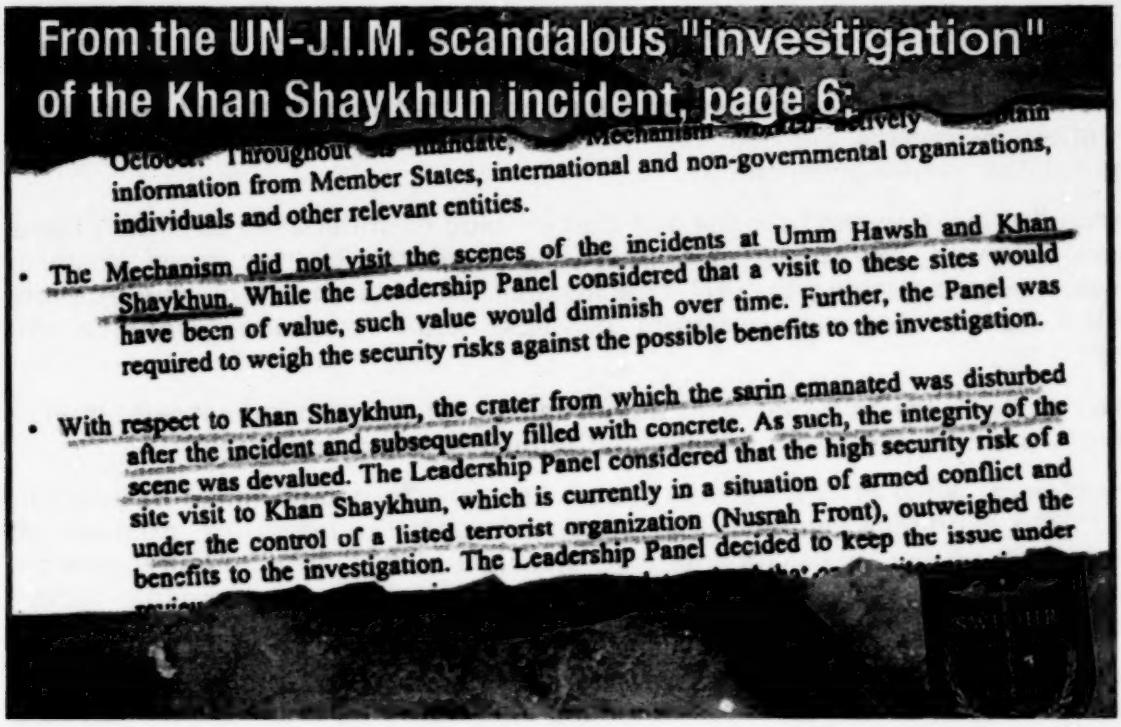
"If there was a dry eye in the room, I didn't see it," US Ambassador Samantha Power, whose mission organized the closed-door session, told reporters

afterward. "Those people responsible for these attacks have to be held accountable."

"Dr. Mohamed Tennari, the director of the field hospital where the victims of the March 16 attack were treated, told reporters on Thursday that residents in Sarmin heard helicopters that night and then noticed "bleach-like odors."

However, the deception not only referred to the staged life-saving scenes in the White Helmets footage shown at the Security Council in April 2015. The "residents in Sarmin" which the above-mentioned Dr Tahari said have "heard helicopters that night", were in fact *two* anonymous persons, one of them later name-identified as a White Helmets operative. All this inferred from the HRW original report that I have commented elsewhere. [5]

Comment to "Seventh report of the Organization for the Prohibition of Chemical Weapons – United Nations Joint Investigative Mechanism"


From the UN-J.I.M. scandalous "investigation" of the Khan Shaykhun incident, page 6:

October. Throughout its mandate, the Mechanism worked actively to obtain information from Member States, international and non-governmental organizations, individuals and other relevant entities.

- The Mechanism did not visit the scenes of the incidents at Umm Hawsh and Khan Shaykhun. While the Leadership Panel considered that a visit to these sites would have been of value, such value would diminish over time. Further, the Panel was required to weigh the security risks against the possible benefits to the investigation.

- With respect to Khan Shaykhun, the crater from which the sarin emanated was disturbed after the incident and subsequently filled with concrete. As such, the integrity of the scene was devalued. The Leadership Panel considered that the high security risk of a site visit to Khan Shaykhun, which is currently in a situation of armed conflict and under the control of a listed terrorist organization (Nusrah Front), outweighed the benefits to the investigation. The Leadership Panel decided to keep the issue under

I. The narrative authored by the "Seventh report of the Organization for the Prohibition of Chemical Weapons – United Nations Joint Investigative Mechanism" tells that a main *probe* that one bomb containing a chemical substance of highest toxicity was dropped by the 'Syrian government' consists in a crater left in a Khan Shaykhun road. The same JIM authors acknowledge that rebels in Khan Shaykhun have however destroyed evidence by filling the purported impact "crater" with concrete.

Why the "rebels" have done that – and what consequences that sabotage would have for the investigation of facts is not even considered by the panel. Instead, what the JIM reports is that "The high security risk of a site visit to Khan Shaykhun, which is currently in a situation of armed conflict and *under the control* of a listed terrorist organization (Nusrah Front), outweighed the benefits to the investigation."

The JIM panel's uttered messaging on that their own perception of a personal risk would outweigh the obvious need of on-site collecting of evidence, also deserves a comment.

In the first place, what danger al-Nusra and the rest of the "moderate terrorists" would possibly pose to the JIM team? They are these 'rebel'

associates who actually made the allegations. And those terrorist formations argued as "risk" by the JIM are actually the first beneficiaries of the JIM conclusions, and of all panels' conclusions of that kind that end suggesting an intensification of the political (including juridical) and military operations against the Syrian government.

Secondly, those forces that the JIM Commission members say to "fear", have been militarily, logistically and politically supported by the same Western powers behind pushing the JIM 'conclusions'. So what should be the problem with a further cooperation among all those actors to gather evidence on-site?

Then we have the fact that several journalist from Western mainstream media have visited the area, came back and published their reportage.

In essence, what is true here is that a visit on-site would make difficult for he JIM to disregard evidence that may contradict the departure-premises of the investigators: 'al-Assad is guilty', 'Russia is guilty', 'Iran is guilty', and all those that oppose the U.S. pipeline dream in the Middle East shall be 'guilty' the same.

II. As regarding the 'bomb crater' version defended by the JIM, the panel reports about witnesses' testimonies, photographs and even "satellite imagery". These efforts would be appropriate in case some one would be questioning the existence of he crater. But the existence of the hole in the road is NOT the issue in discussion. The issue is instead to discern *what* caused that crater. In this regards, it is incomprehensible that the JIM neglected to report details of the exhaustive investigations conducted by Ted Postol, professor emeritus at the Massachusetts Institute of Technology, and who demonstrated that such a crater could not possibly be the result of an aerial bombing. [11]

III. By acknowledging that Khan Shaykhun was then *under control* of al-Nusra, the JIM report exhibits yet another methodological contradiction: That would mean that al-Nusra and its jihadists allies, by having control of the area, they were also in control of the 'official' information delivered from Khan Shaykhun on the alleged incident. This would imperatively call for a questioning of the reliability/credibility (bias) of main sources that the panel used for its allegations.

Particularly concerning propaganda organizations such as the White Helmets and other formations "*under control* of al-Nusra" (it is what JIM says), or in frank collaboration. For the White Helmets, main source at the UN reports of recent years, could possibly function in those areas only insofar a convergence would exist towards the local powers in control. No need to remind that territories occupied by terrorists do not function as a democracy.

IV. What those biases not investigated by JIM would consist of? The answer is in what has been the core of the propaganda strategy of al-Nusra / FSA/ White Helmets and the rest of the sharia-adept jihadist organizations of the "Syrian opposition", and from the very beginning: [12] the constant advocating for an escalation of the U.S./EU military intervention. For instance – as I have already pointed out in The Indicter Magazine and in interviews with Russian and EU media – *each time* an allegation of "chemical attacks" arises from the part of the "Syrian opposition", and in particular by the White Helmets, those claims have been immediately followed by their renewed international pledge for a No-Fly Zone in Syria. [13] [14] [15] [16]

V. Further, the JIM presents a highly confusing argument on that the purported 'sarin' would not be properly sarin, but instead some sort of substance of the like. Then the panel admits that the mysterious substance is not actually 'Syrian" sarin as such, but instead it would contain *something* that previously would also has been present in chemical materials time ago stockpiled in Syria (Syria destroyed all chemical weapons between 2013-2014). [17] But considering the documentation existing a) on the possession of chemical weapons (inclusive sarin) by opposition forces – [18] which comprises ISIS sarin; [19] b) on the rebels 'homemade' amateurish fabrication and stockpiling; and c) on the actual weapon-transfers that has existed between jihadists formations in the area, ISIS included, [20]: Who would possibly accept such an ambiguous JIM argument on the "semi-sarin" as *unequivocal evidence* that the alleged attack was ordered by the Syrian government?

VI. The panel states, again paradoxically, that "Should conditions improve and it be determined that an on-site investigation would produce valuable new information, a visit could take place in the future." So, if I may ask, why not waiting for that possibility instead of passing judgement and declaring Syria 'guilty' already now, in absence of solid evidence?

The answer is elsewhere in a UN investigative panel's document, where it is admitted that the more time passes, the less possibilities remain for evidence collection. So, the UN-JIM panel members may think, why to hurry?

To the above it should be added the numerous incongruences in the documentation and testimonies that the JIM accepted to include in its report. For instance, that several dozens of 'victims' of the alleged attack were admitted and registered in the vicinity hospitals at a time-point before the purported occurrence of the said attack; or the notorious clinical disagreement reported in samples taken from same individuals, etc. These and other kinds of epidemiological flaws or oddities, such as an atypical ratio between injured and reported fatalities, are equally prominent in the parallel COI report.

VII. Finally, the JIM conclusions in its latest report [2], which declared 'guilty' the Syrian government for a 'war crime' on the base of "open sources" and one-sided or non verifiable information, further entails –precisely as its sister report issued by the COI [2] – two fundamental forensic flaws:

i) *Absence of a 'crime motive' demonstration.*

The JIM fails to demonstrate what conceivable purpose would exist from the part of the Syrian government, the wining side in the war, to indulge in such a self-damaging decision. At the contrary, such imputation against the Syrian government is deprived of logic, particularly 'geopolitical logic'. [21] As indicated by former British Ambassador to Syria, Mr Peter Ford, the allegations against Syria are simply not plausible. [22]

ii) *Absence of the "beyond doubt" principle.*

Typically, any mob's judgement that has further leaded to a lynching, appeal to the principle "We have reasons to believe". At the contrary, a forensic, scientific, or juridical conclusion reached by any authentic experts-panel or court regarding severe criminal charges has to be based in the "beyond a reasonable doubt" standard. This is not the case in the unprofessional conclusions issued by The JIM and COI, whose reports refer to allegations of "war crimes", and not a kind of lesser crimes where the required standard could be of a lesser solidity. [23] [24]

What to do?

The ultimate human right is the right to exist. War is the most certain risk for a sweeping obliteration of that essential right. That being the rationale of the engagement by Swedish Doctors for Human Rights in denouncing the warmongering and xenophobia of those – in Sweden or elsewhere – insulting other nations and pursuing the provocation of international conflicts. The geopolitical situation is already volatilized ad maximum, and those provocations might fatally lead events to a worldwide confrontation, to a Third World War and its unpredictable risk of nuclear holocaust. It is not only "them", but also "us", and also Nature, that risk to succumb. It is highly the time that the warmongering of those behind – or those defending or propagating – the arbitrary, non-professional, non-expert conclusions of politically biased "investigative commissions", be exposed by authentically independent HR organizations.

Likewise, this would entail, in my opinion, the denouncing of politically-biased behaviours of self-proclaimed "human-rights" organizations, such as HRW and others, [25] [26] particularly the Swedish Section of Amnesty International, ultimately financed or ideologically controlled by those same powers. [27] [28] [29]

Swedish Doctors for Human Rights therefore suggest the establishment of an international, independent and multidisciplinary expert-panel of scientists aimed to *review the methodology and procedures* comprised in the JIM investigation; to assess whether methodological or other bias are behind evidence-deprived conclusions of the report. The suggested professional team shall be a true objective panel not only concerned with the flawed report on the Khan Shaykhun incident, but reviewing similar faulty allegations done in recent years, which together form a pattern of an aggressive geopolitical behaviour, and a contributing menace to world peace.

"The use of chemical weapons – an immoral and condemnable act anywhere, at any time, and under any circumstances." – The Syrian Ministry of Foreign Affairs, 27 October 2017

[This analysis was updated 30 November 2017, including new references added. /Dr Lena Oske, editor]

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[24] NOTE:

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[29] NOTE:

On the pro-USA stances displayed by the Swedish Section of Amnesty International, as well as its ties with the Swedish government, see also from the author: a) Former paid agent of Swedish Security Police dictated Amnesty Sweden's stance against Assange ; and b) Swedish Section of Amnesty International voted to reject human-right actions on cases Assange, Snowden and tortured Palestinian children.

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The author:

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Media contributions: Op-ed articles in Dagens Nyheter (DN), Svenska Dagbladet (Svd), Aftonbladet, Västerbotten Kuriren, Dagens Medicin, the Journal of the Swedish Medical Association (*Läkartidningen*) and other Swedish media. Contributing articles in Global Research (Canada) and Izvestia (Russia). Exclusive interviews in Dagens Nyheter (DN), Expressen, SvD and Aftonbladet, TASS, El Telégrafo, Sputnik, and in Swedish TV channels Svt 2, TV4, TV5. Other international TV interviews: Norway TV, Italy TG, RT, Russia Channel 1, Rossiya 24, TVN Chile, Italian and UK channels.

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